

December 3, 2002

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**AGREEMENT WITH FORENSIC TOXICOLOGY ASSOCIATES, INC. FOR
COURT-ORDERED LABORATORY TESTS
(ALL DISTRICTS AFFECTED) (3-VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the extension of the Agreement with Forensic Toxicology Associates, Inc. for court-ordered laboratory testing on a month-to-month basis for a period of six (6) months beginning December 13, 2002 through June 12, 2003 or until the Superior Court's new court-ordered laboratory tests contract is in place.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In 1988, the Auditor-Controller recommended that the County establish a contract with a laboratory to provide court-appointed drug and alcohol testing services for the courts. This service has been continuously contracted since 1988. The Forensic Toxicology Associates, Inc. contract, which is set to expire on December 12, 2002, provides lab testing for former Los Angeles Municipal Court sites. Through the Request for Proposal process, the County intends to select a single vendor to serve all thirty-one (31) courts, and the new contract is scheduled to begin on June 1, 2003. Approval of the month-to-month extensions will allow Forensic Toxicology Associates, Inc. to continue providing court-ordered laboratory testing at the nine court locations listed in Attachment A until the new contract is in place.

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The Agreement addresses the Court's continuing need for court-ordered lab testing services in indigent defense drug and alcohol related cases. Tests are requested by indigent defense counsel(s) and then ordered by the court. During fiscal year 2001-02, there were approximately 350 test samples performed. In addition, there were costs for obtaining samples, pickup/delivery of samples, test samples, storing samples, preparing and delivering written reports and providing expert court testimony when necessary.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This action supports the County's Strategic Plan Goal of Fiscal Responsibility. This contract extension will allow the services to be provided at the current rate, which is consistent with the 2002-03 funding level.

FISCAL IMPACT/FINANCING

Proposed total estimated cost for the six-month period is approximately \$30,000. The Agreement allows for compensation based on the number of samples tested. There will be "no cost" if the first test is inaccurate. Costs also include: obtaining samples, pickup/delivery of samples, testing samples, storing samples, preparing and delivering written reports and providing expert court testimony when necessary. No cost of living allowances are permitted during the Agreement's extension period.

Funding for these services is included in the Trial Court Operation's 2002-03 adopted budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The service provided in this Agreement is of an extraordinary, professional or technical nature and is needed on a temporary, part-time or intermittent basis.

Language in the Agreement allows the County to monitor Forensic Toxicology Associates, Inc.'s performance and includes penalties for non-performance.

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The recommended Agreement also requires Forensic Toxicology Associates, Inc. to consider hiring participants in the Department of Public Social Services GAIN/GEARS Program who meet the minimum requirements for open positions.

The District Attorney has approved the Dependent Support Program provisions of this Agreement and issued a certificate of compliance of Forensic Toxicology Associates, Inc.'s filing of the Principal Owner Information Form.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Authorizing the extension will ensure the continuation of essential indigent defense services ordered in the Superior Court.

Respectfully submitted,

JOHN A. CLARKE
Executive Officer/Clerk
Superior Court of California, County of Los Angeles

DAVID E. JANSSEN
Chief Administrative Officer

DEJ:DL
MG:ljp

Attachment

c: County Counsel
Presiding Judge, Superior Court

ATTACHMENT A

LAMC COURT LOCATIONS

Central Arraignment Court
429 Bauchet Street
Los Angeles

Van Nuys Branch Court
14400 Erwin Street Mall
Van Nuys

Metropolitan Branch Court
1945 So. Hill Street
Los Angeles

West L.A. Branch Courts
1633 Purdue Avenue
Los Angeles
and
3000 So. Robertson Blvd., Suite 100
Los Angeles

Airport Branch Court
11701 So. La Cienega Blvd.
Los Angeles

San Fernando Branch Courts
900 Third Street
San Fernando
and
919 First Street
San Fernando

San Pedro Branch Court
505 So. Centre Street
San Pedro

Criminal Courts
210 W. Temple Street
Los Angeles

Hollywood Branch Court
5925 Hollywood Blvd.
Hollywood

**AGREEMENT BY AND BETWEEN
COUNTY OF LOS ANGELES AND
FORENSIC TOXICOLOGY ASSOCIATES FOR
COURT-ORDERED LAB TESTING SERVICES**

AMENDMENT NO. 4

Amendment Number 4

Agreement #40669

AGREEMENT ENTERED INTO BY AND BETWEEN THE COUNTY OF LOS ANGELES, HEREINAFTER REFERRED TO AS "COUNTY" AND FORENSIC TOXICOLOGY ASSOCIATES, HEREINAFTER REFERRED TO AS "CONTRACTOR", FOR COURT-ORDERED LAB TESTING SERVICES.

1. Pursuant to the Agreement, the Performance Period as specified on page 15 of Scope of Work, and subsequently amended by Amendment Number 3 to state that Amendment Number 3 Date of Agreement Extension is through close of business December 12, 2002, is changed as follows:

From: "Date of Agreement Extension through close of business December 12, 2002."

TO: "Date of Agreement Extension through close of business June 12, 2003."

All other terms and conditions remain unchanged.

FORENSIC TOXICOLOGY ASSOCIATES

COUNTY OF LOS ANGELES

By: _____

Name: _____

Title: _____

Date: _____

Chair - Yvonne Brathwaite Burke
BOARD OF SUPERVISORS

APPROVED AS TO FORM:

ATTEST:

LLOYD W. PELLMAN
County Counsel

County Counsel _____
GORDON TRASK
Principal Deputy County Counsel

Clerk of the Board of Supervisors
VIOLET VARONA-LUKENS
Executive Officer

